

Exhibit 1



A Guide to the
**Election Administration
and Voting Survey**

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The purpose of this document is to provide information to election officials responsible for completing the Election Administration and Voting Survey (EAVS), a biennial survey of information on election administration and election policy. This document provides information on what data the EAVS collects, the process and timeline for data submissions, how the Election Assistance Commission (EAC) reports the results of the data, how updates to EAVS data sets are released to the public, and how the EAC makes changes to the survey questions.

Introduction to the EAVS

Since 2004, the EAC has conducted the EAVS following each federal general election. The EAVS asks all 50 U.S. states,¹ the District of Columbia, and U.S. territories to provide data about the ways in which Americans vote and how elections are administered. The EAVS provides the most comprehensive source of state- and local-jurisdiction-level data about election administration in the United States. These data play a vital role in helping election officials, policymakers, and other election stakeholders identify trends, anticipate and respond to changing voter needs, and invest resources to improve election administration and the voter experience. EAVS data make it possible to examine the details of U.S. elections infrastructure and produce a generalizable understanding of core aspects of the election process and the management challenges faced by election officials. The survey provides policymakers and the public with critical information every two years about how federal elections are conducted and helps the EAC fulfill its congressionally mandated reporting requirements.

Collectively, the EAVS data collection effort consists of two separately administered surveys: the Policy Survey and the EAVS. The Policy Survey,² which is due by each federal general election, collects data on state election policies and procedures to provide context for the quantitative data

¹ In the interest of consistency, the term “states” in this document includes the District of Columbia and the U.S. territories.

² Before the 2018 election, the Policy Survey was known as the Statutory Overview.



included in each state's EAVS submission. The data collected in the Policy Survey includes information on:

- The state's voter registration and list maintenance policies;
- The state's policies on how voters may participate in elections, such as by mail, in-person voting prior to Election Day, vote centers, voting under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and provisional voting;
- The state's policies and practices on election certifications, recounts, and audits, and on certification of election technology;
- The state's voter identification policies; and
- How criminal convictions affect voting rights in the state.

The EAVS survey, which is due 90 days after a federal general election,³ collects data on:

- Voter registration, including the number of registered and eligible persons, the number of active and inactive registrants, the number of individuals who used same-day voter registration, the number of registration forms processed since the previous federal general election, the number of registration forms processed since the previous federal general election in total and by source, the number of list maintenance confirmation notices sent to voters since the previous federal general election, and the number of voters removed from registration rolls since the previous federal general election;
- UOCAVA voters, including the number of registered and eligible UOCAVA voters; the number of Federal Post Card Applications (FPCA) received, accepted, and rejected; the number of UOCAVA ballots transmitted, returned, counted, and rejected; and the number of Federal Write-in Absentee Ballots (FWAB) returned, counted, and rejected;
- Mail voting, including the number of mail ballots transmitted, the number of mail ballots transmitted to permanent mail voters, the number of mail ballots returned and rejected, the number of mail ballot drop boxes used and the number of ballots returned via drop box, and the number of mail ballots that were successfully cured;
- In-person voting and polling operations, including the number of precincts, the number of polling places for Election Day and early voting, the number of poll workers during Election Day and early voting, the age of poll workers and the number of new poll workers, and the ease of recruiting poll workers;

³ 52 U.S.C. § 20302.



- Provisional ballots, including the number of provisional ballots submitted and their adjudication, the reasons for provisional ballots being submitted, and the number of provisional ballots rejected; and
- Voter participation and election technologies, including the number of persons who successfully cast in the election in total and by voting mode, the source of data on election participation, use of electronic and paper poll books, use of voting technologies, location of vote tally, and general comments.

Background and Authority

The EAC collects EAVS and Policy Survey data to meet its obligations under federal law.

- **Help America Vote Act (HAVA).** HAVA (52 U.S.C. § 20922) requires the EAC to serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of federal elections. This includes conducting studies to promote the effective administration of federal elections under topical areas such as methods of voter registration, methods of conducting provisional voting, poll worker recruitment and training, and such other matters as the EAC determines are appropriate.
- **National Voter Registration Act (NVRA).** Under NVRA, the EAC is responsible for collecting information and reporting to the United States Congress on the impact of that statute on a biennial basis. The information that states are required to submit to the EAC for purposes of the NVRA report can be found under Title 11 of the Code of Federal Regulations. States that respond to EAVS questions concerning matters related to voter registration will meet their NVRA reporting requirements under 52 U.S.C. § 20508 and EAC regulations.
- **Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).** UOCAVA mandates that EAC create a standardized format for state reporting of UOCAVA voting information (52 U.S.C. § 20301). UOCAVA requires that “not later than 90 days after the date of each regularly scheduled general election for Federal office, each state and unit of local government which administered the election shall (through the state, in the case of a unit of local government) submit a report to the EAC (established under the Help America Vote Act of 2002) on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such a report available to the general public.” States that complete and submit the UOCAVA section of the survey to the EAC on time will fulfill their UOCAVA reporting requirement under 52 U.S.C. § 20302.



Process and Timeline for State Data Submissions

The Policy Survey is completed at the state level and is submitted by the state's chief election officer⁴ or their designee. While EAVS data is collected at the jurisdiction⁵ level, the state is responsible for coordinating jurisdiction responses and providing a complete set of responses to the EAC. Each state's chief election officer is also responsible for certifying their state's final EAVS data submission as being as complete and accurate.

The state's chief election officer may or may not be the person who is responsible for managing their state's (and, where applicable, jurisdictions') response. Before each EAVS is administered, every state will designate a point of contact (POC) who will receive information and important documents relating to the survey and will manage the state's (and, where applicable, jurisdictions') response. At the state's discretion, the POC does not have to be the chief election official, and the state may designate multiple POCs. The EAC will periodically seek to interview state POCs in order to better understand their experiences completing the EAVS and to gather information on how the EAC can better support states in submitting their data. In the summer before the election for which the data are being sought, the EAC will request that each state's EAC Standards Board state designee provide the name and contact information for the state's POC(s). State POC(s) may be updated at any time while Policy Survey or EAVS data are being collected. To do so, a current POC or the state's chief election officer should contact the email address listed on the project website and provide the name and contact information (email address and phone number) for new POC(s).

The EAC intends to release the EAVS and Policy Survey questions at least 3 months before the election for which the data are being sought. The survey questions will be posted on the EAC website. The Policy Survey data for each state is due before the election for which the data are being sought. The due date for each state's EAVS data is the first business day in February following the

⁴ As designated pursuant to 52 U.S.C. § 20302(b)(1).

⁵ What constitutes a jurisdiction is defined by each state. Most states report EAVS data on the level of the county (or county equivalent, such as parishes or boroughs) and some states also report data for independent cities in addition to counties. Other states report data at the township level. Territories and federal districts typically each report as one jurisdiction.



election for which the data are being sought.⁶ This deadline allows time for the EAC to review data submissions for completeness and accuracy. States will be provided with two opportunities to make corrections to their EAVS data and review how the data will be portrayed in the EAC's data analysis. The due date for the final EAVS data is the first business day in March following the election for which the data are being sought. The EAC then uses the data to provide a report to Congress no later than June 30 following the election for which the data are being sought.

Appendix A contains a list of anticipated dates for EAVS-related activities for the surveys that will be conducted between 2022 and 2032.

Project Website, Survey Documentation, and Training Materials

To assist state POCs in providing data for the Policy Survey and EAVS, the EAC will maintain a distinct project website for these surveys. This project website will have resources and documentation relating to the project, including instructions on using the data collection templates, guidance on interpreting survey instructions and definitions, and reminders of survey deadlines. The website will also allow POCs to download survey files and upload files for the EAC to review.

Before the launch of the survey, the location of the project website and access credentials to the website will be provided to state POCs. The URL of the current project website is listed in Appendix B.

Data Collection Templates

The EAC will provide state POCs with easily accessible templates to use for the submission of their Policy Survey and EAVS data. The Policy Survey data collection template will allow states to enter their data item by item. Two data collection templates will be provided for EAVS:

⁶ This deadline is necessary, in part, due to the EAC's requirement under section 702 of HAVA that states submit their UOCAVA numbers to EAC within 90 days of the election (52 U.S.C. § 20302). Since the EAC collects the NVRA, UOCAVA, and other election-related data simultaneously using the same instrument, all data are due at the same time to eliminate confusion and duplicative efforts by state and local officials and EAC.



- A flat data format that will allow states to copy and paste large amounts of data, such as from a report generated from the state's election database. This format will have a column for each EAVS item and a row for each EAVS jurisdiction in the state.
- An item-by-item format that is primarily intended for jurisdictions that enter data themselves. The data from the item-by-item template will be automatically formatted to match the layout of the flat data file.

Both templates will include data validations that will assist states in providing accurate data. These validations will flag when subcategories do not sum to the correct totals, when responses are not compatible across the survey, and when required items do not have responses. The data collection templates will be made available to state POCs on the project website; if the state relies on jurisdictions to complete part or all of the EAVS, the state may distribute the data collection templates to local jurisdiction officials. All final state EAVS data submissions must be made through the project website in the flat data format.

Technical Assistance

During the data collection periods for the Policy Survey and EAVS, states will have the benefit of technical assistance offered by the EAC. This technical assistance includes, but is not limited to, guidance and support related to understanding the survey questions and their definitions and instructions, entering data into the data collection templates, uploading data to the project website, and troubleshooting technical issues. The EAC will also issue reminders of due dates throughout the data collection period.

Technical assistance will be provided by phone and email. State POCs may request technical assistance by contacting the email address and phone number that will be listed on the project website.

Data Review Process

The EAC will work with states to ensure that the data included in the EAVS Comprehensive Report and made publicly available are complete and accurate. Both Policy Survey and EAVS data submissions will undergo an intensive review process. The EAC will review Policy Survey data as states submit it and will contact state POC(s) with questions and clarifications. If an update to a state's Policy Survey data is necessary (for instance, because of a policy change or a court ruling



before an election or because of a misinterpretation of a survey question) after the state submits its data and before the EAVS data lock date, the state's POC(s) should contact the email address listed on the project website with information about what data updates are needed.

The EAC will also review the first EAVS data submission that states provide on the first business day in February following the election for which the data are being sought. Data submissions will be reviewed to ensure that:

- Subcategories sum to the correct totals;
- Responses are compatible across the survey;
- All required items have a response;
- The state's EAVS responses align with the state's Policy Survey responses; and
- The state's EAVS responses are consistent with data trends the state has reported in EAVS data from previous elections.

Within 10 business days of the initial data submission, the state will receive a report summarizing the results of this data review and calling attention to items in need of further review.

The state will then be able to review the EAC's report, correct errors, and provide further context to its EAVS data in a second data submission. The EAC will conduct another review of this second submission and will generate the analysis that will appear in the appendix tables of the report to Congress. States will have a final opportunity to review this analysis, provide corrections to their data, and submit explanatory notes that will be published with the data analysis.

States that do not provide their initial data submissions by the first business day in February will have a shortened time frame to reconcile their data following their receipt of the results of EAC's data review. All final EAVS data is due on the first business day in March following the election for which the data are being sought.

Data Finalization and Certification

After the state submits its final data on the first business day in March following the election for which the data are being sought, the EAC will ask the state's chief election officer to certify in writing that the information being presented to the EAC is true and accurate to the best of their knowledge and that their state's EAVS submission is complete.



After the final data due date, the EAC will lock the EAVS data and begin data reconciliation and analysis for the purpose of writing the EAVS Comprehensive Report. At this point, no additional data will be accepted from states for inclusion into the database or the EAVS Comprehensive Report. The EAC is unable to alter its timelines for data submission or publication of its reports for any reason. If a state fails to submit its final data to the EAC before the first business day in March, the EAC may use the state's earlier submission in its data analysis.

Publication of EAVS Comprehensive Report and Public Data Set

No later than June 30 in the year following the election for which the data are being sought, the EAC will issue a written report of election administration and other election activities to the United States Congress. This report, referred to as the EAVS Comprehensive Report, includes the following:

- An overview of election administration and election activities, including the total number of votes cast, turnout (in total and by mode), registration rates, the number of precincts and poll workers, provisional balloting, and use of election technology.
- A report on voter registration activities in the previous two-year election cycle, including the total number of registered voters, the modes by which registrations were submitted, the types of registrations submitted, usage of same-day voter registration, list maintenance removal or confirmation notices sent to voters, and the number of voters removed from registration lists.⁷
- A report on data related to voting by uniformed and overseas citizens in the previous two-year election cycle, including the total number of registered and eligible UOCAVA voters; the number of FPCAs received, accepted, and rejected; the total number of UOCAVA absentee ballots transmitted, returned, cast, and counted; the number of UOCAVA absentee ballots

⁷ The Help America Vote Act (HAVA) of 2002 amended the NVRA to require EAC to issue a report on the impact of the NVRA no later than June 30 of each odd-numbered year ((52 U.S.C. § 20508, as amended by P.L. 107-252 § 802(b)). For the 2004 election this NVRA report was issued as part of the Election Day Survey Report. Since the 2006 election, the EAC has issued this report as part of the EAVS Comprehensive Report.



not counted and the reason for rejection; and the number of FWABs returned and cast by UOCAVA voters.⁸

- A report on the Policy Survey, including state's policies on voter registration and list maintenance; mail voting; in-person voting prior to Election Day; vote centers; UOCAVA voting; provisional voting; election technology, election certification, recounts, and audits; voter identification; and how criminal convictions affect voter registration.
- A report on the methodology of the Policy Survey and EAVS, including an overview of the timeline, how the data were collected and analyzed, and technical assistance and other support provided to states.

The EAVS Comprehensive Report must be formally adopted by a vote of the EAC Commissioners before publication. The EAVS Comprehensive Report and the EAVS and Policy Survey data sets will be made publicly available on the EAC's website.

In addition to the EAVS Comprehensive Report, the EAC will use EAVS and Policy Survey data to release other research products, including reports, memos, summaries, visualizations, congressional testimony, and presentations.

Post-Reporting Matters

After the EAVS Comprehensive Report has been written and adopted by the EAC, no changes to that report may be made. However, if the EAC is notified by a state of an error or omission in the state's data set, the agency will issue updated EAVS and Policy Survey data sets on its website with an errata note of changes that have been made to the newly-issued data sets. Updated data sets will be issued on a quarterly basis.

The chief election officer of a state may request an update to the state's EAVS or Policy Survey data in writing by contacting the EAC Director of Research at the email address listed in Appendix B, with the subject line "EAVS Correction." The written request should include a detailed description of the update requested, including the election year which needs to be corrected, the item(s) that need to

⁸ The EAC is charged with issuing periodic studies on voting, including by members of the uniformed services and overseas voters (52 U.S.C. § 20981). For the 2004 election, these data were collected in the Military and Overseas Absentee Ballot Survey. Since the 2006 election, the EAC has issued this report as part of the EAVS Comprehensive Report.



be updated, the jurisdiction(s) affected, and the reason the update is necessary. Upon receipt of the request, the EAC will work with the state to ensure the data update is processed correctly and that the state's data is accurately depicted in the public data sets. The state's chief election officer will have the opportunity to review the data set and documentation before it is made public. In addition, the EAC will ask the state's chief election officer to sign a new certification form that reflects the data updates.

If the EAC Director of Research determines that the data update is necessary as a result of the EAC's action or failure to act, the data update may be expedited and the EAC may issue updated data sets outside of its regular quarterly updates. The state's chief election officer may appeal the EAC Research Director's determination to the EAC Executive Director.

Survey Question Changes

Before the release of each survey, the EAC will review the Policy Survey and EAVS questions to ensure they reflect current election practices. The EAC may consider eliminating questions that are no longer relevant, revising questions to better reflect current election practices, or adding new questions. In making changes to the survey questions, the EAC will be mindful of the response burden for state and local election officials and will prioritize questions that can successfully be answered across all states.

In addition, the EAC is statutorily required to submit both sets of survey questions to the Office of Management and Budget (OMB) for review before the survey questions are finalized. This process takes approximately six months to complete. During the review process, the EAC will publish the draft survey questions and estimated paperwork burden for the proposed information collection in the Federal Register and will solicit public comments on the proposed information collection. Election officials and the public are encouraged to comment on the survey questions and paperwork burden of the proposed data collection; the EAC carefully reviews all public comments received through this process. Once the EAC has acquired approval for the data collection through OMB, it will release the final versions of the survey questions on the project website and on its agency website.



How EAVS Questions Have Changed

The first version of the survey that eventually became EAVS was fielded after the 2004 federal general election. That survey, called the Election Day Survey, collected information on voter registration, election results, voting equipment, poll workers, and voting jurisdictions. In 2006, the survey was rebranded as EAVS and incorporated a variety of policy-related questions in addition to data points. Beginning in 2008, the EAC added a section on UOCAVA voting, and in 2013 EAC entered into a memorandum of understanding (MOU) with the Department of Defense's (DOD) Federal Voting Assistance Program (FVAP) to establish a joint survey effort enabling both the EAC and FVAP to meet their core reporting requirements while reducing the overall burden on election officials.

Since 2008, EAVS has consisted of six sections that have covered similar questions, with minor changes from year to year. The EAC has made EAVS data for each federal general election publicly available on their agency's website.

In 2010, EAVS began collecting data on state election laws and procedures to assist the EAC in better understanding the quantitative data relating to each federal general election. This was first done in the form of the Statutory Overview, which had states submit their statutory language to answer a series of open-ended policy questions and mark what had changed from the previous election. Since 2018, the Statutory Overview has been revised into the Policy Survey, which asks a series of closed-ended questions to better categorize states according to their election practices. States' responses to the Statutory Overview and the Policy Survey are publicly available on the EAC's website.

Effective Date

This policy becomes effective on July 20, 2022 and supersedes all previous versions.

Appendix A: Anticipated Dates for EAVS Activities, 2022–2032



This table lists anticipated dates for EAVS activities through the 2032 EAVS. These dates may be subject to change; any changes will be communicated to EAVS POCS by the EAC.

	2022 EAVS	2024 EAVS	2026 EAVS	2028 EAVS	2030 EAVS	2032 EAVS
Survey questions available	By 8/1/22	By 8/1/24	By 8/3/26	By 8/1/28	By 8/1/30	By 8/1/32
Policy Survey data submission due	By 11/8/22	By 11/5/24	By 11/3/26	By 11/7/28	By 11/5/30	By 11/2/32
EAVS data collection templates available	By 11/8/22	By 11/5/24	By 11/3/26	By 11/7/28	By 11/5/30	By 11/2/32
First state EAVS submission due	2/1/23	2/3/25	2/1/27	2/1/29	2/3/31	2/1/33
Results of EAC's review of first submission available*	By 2/3/23	By 2/17/25	By 2/15/27	By 2/15/29	By 2/17/31	By 2/15/33
Final state-certified EAVS data due	3/1/23	3/3/25	3/1/27	3/1/29	3/3/31	3/1/33
Public release of report and data	By 6/30/23	By 6/30/25	By 6/30/27	By 6/30/29	By 6/30/31	By 6/30/33

* States that do not meet the deadline for the first state EAVS submission may not have the data review results ready by this date.



Appendix B: Contact Information

EAC agency website: <https://www.eac.gov/>

EAVS project website: <https://eavsportal.com/>

EAC Director of Research email address: research@eac.gov